

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

ARTHUR TAYLOR, Register No. 1041889,)	
)	
Plaintiff,)	
)	
v.)	No. 07-4212-CV-C-SOW
)	
DAVE DORMIRE, et al.,)	
)	
Defendants.)	

ORDER

On October 20, 2008, United States Magistrate Judge William A. Knox recommended that the motions of defendants Dormire, Wood, Cassidy, Corser, Campbell, Beckemeyer, Cahalin, Friesen, and Hovis to dismiss be granted, in part, and denied, in part. Judge Knox further recommended that defendant Ruppel's motion to dismiss plaintiff's failure-to-protect claims against him be granted. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of October 20, 2008, is adopted. [36] It is further

ORDERED that the motions of defendants Dormire, Wood, Cassidy, Corser, Campbell, Beckemeyer, Cahalin, Friesen, and Hovis to dismiss is granted, in part, and denied, in part, as follows: granted as to plaintiff's damage claims against defendants in their official capacities and denied on defendants' remaining bases for dismissal. [12, 33] It is further

ORDERED that defendant Ruppel's motion to dismiss plaintiff's failure-to-protect claims against him is granted, and these claims are dismissed for failure to state a claim on which relief can be granted under 42 U.S.C. § 1983.

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: November 24, 2008